
Central Valley Regional Water Quality Control Board

5 July 2019

Mr. Rod Bryan, Public Works Director
City of Mount Shasta
305 N. Mt. Shasta Blvd.
Mt. Shasta, CA 96067

John Kenney
Counsel for City of Mount Shasta
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ADMINISTRATIVE CIVIL LIABILITY COMPLAINT R5-2019-0511, CITY OF MOUNT SHASTA

Enclosed is an Administrative Civil Liability Complaint (Complaint) issued to the City of Mount Shasta (Discharger) pursuant to California Water Code (Water Code) section 13385 for violation of State Board Order No. 2006-0003-DWQ, *Statewide General Waste Discharge Requirements for Sanitary Sewer Systems*).

In the Complaint, the Prosecution Team recommends an administrative civil liability be assessed against the Discharger in the amount of two million four hundred and fifty one thousand one hundred and eighty four dollars (\$2,451,184).

The Discharger has a right to a hearing before the Central Valley Regional Water Quality Control Board (Central Valley Water Board) within 90 days of the issuance date of this Complaint. Alternatively, the Discharger may waive the right to a hearing within 90 days of the issuance date of this Complaint by completing the attached waiver form. If the Discharger chooses to waive the right to a hearing within 90 days of this Complaint, the completed and signed waiver form must be received by the Central Valley Water Board by **5:00 p.m. on 12 July 2019**. The options included to waive the 90 day hearing requirement are as follows:

1. Pay the proposed administrative civil liability and waive the Discharger's right to a hearing (Option #1 on the attached waiver form). If the Discharger chooses to sign the waiver and pay the assessed civil liability, this will be considered a tentative settlement of the violations. The tentative settlement will be considered during a 30-day public comment period, during which interested parties may comment on the proposed action by submitting written comments to the Central Valley Water Board staff person listed below. The Central Valley Water Board may choose to hold a hearing on the tentative settlement. Should the Central Valley Water Board receive new information or comments during this comment period and/or at the hearing, the Central Valley Water Board may return any payments received, and issue a final Administrative Civil Liability Order based on information and facts obtained during the comment period and/or hearing. If the Central Valley Water Board does not hold a hearing on the tentative settlement, and if the terms of the final settlement are not significantly different from those proposed in the enclosed Complaint, then there will not be additional opportunities for public comment on the tentative settlement.
2. Waive the 90-day hearing requirement in order to engage in settlement discussions (Option #2 on the attached waiver form). If this option is chosen, the Discharger certifies that the Discharger will promptly engage with the Central Valley Water Board Prosecution Team to enter into settlement discussions. The Discharger reserves the ability to request a hearing in the future. It remains within the discretion of the Central Valley Water Board to agree to delay the hearing, and any proposed settlement is subject to the conditions described under Option #1.
3. Ask that the hearing be postponed for reasons provided by the Discharger (Option #3 on the attached waiver form). If this option is chosen, the reasons provided by the Discharger to hold the hearing date beyond 90 days will be considered, however it remains within the discretion of the Central Valley Water Board to approve the extension.

If the Central Valley Water Board does not receive a signed waiver from the Discharger by **5:00 p.m. on 12 July 2019**, then a hearing will be scheduled for this matter.

In order to conserve resources, this letter transmits paper copies of the documents to the Discharger only. Interested persons may download the documents from the [Central Valley Water Board's Internet website](#) at:

https://www.waterboards.ca.gov/rwqcb5/board_decisions/tentative_orders/

If the Discharger has any questions or would like to discuss the legal aspects of this Complaint, please contact the lead attorney on the Prosecution Team, Catherine M. Hawe, Staff Counsel with the State Water Board's Office of Enforcement at (916) 322-3538. If the Discharger has technical questions regarding the Complaint, please contact Mike Nilsen, staff engineer with the Central Valley Water Board at (530) 224-4853.

Sincerely,

(original signed by Angela Wilson, for)

Clint Snyder
Assistant Executive Officer
Central Valley Water Board

Enclosures: Administrative Civil Liability Complaint R5-2019-0511
Attachment A: Penalty Methodology – Specific Factors Considered
Attachment B: Mandatory Minimum Penalties
Attachment C: Waiver Form

cc: via email with attachments
Catherine Hawe, State Water Board, Office of Enforcement
Jessica Jahr, State Water Board, Office of Chief Counsel
Patrick Pulupa, Central Valley Water Board, Rancho Cordova